IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
Plaintiff,)	8:16CR256
vs.	}	ORDER
ALAN RUSSELL,)	
Defendant.)	

This matter is before the court on the motion for discovery by defendant Alan Russell (Russell) (Filing No. 16). Russell seeks discovery pursuant to *Brady v. Maryland* and its progeny. Paragraph 3 of the progression order (Filing No. 10) requires the government to disclose *Brady* material as soon as practicable. There is no showing that the government has refused such disclosure. Further, Paragraph 3 of the progression order provides that any motion for discovery, such as the instant motion, shall recite that counsel has conferred with opposing counsel regarding the subject of the motion in an attempt to reach an agreement and to state the dates and times of such attempts. The instant motion is totally deficient in such matters to avoid the involvement of the court.

Russell's motion for discovery (Filing No. 16) is denied.

IT IS SO ORDERED.

DATED this 27th day of September, 2016.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge